



Mayor Depreo
Councilmember Maher At-Large
Councilmember Finley Ward 1
Councilmember Liese Ward 2
Councilmember Cumberland Ward 3
Councilmember Clark Ward 4

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, September 20, 2022
6:00 PM CST
Council Chambers, City Hall

Call to Order.

Mayor Depreo called the meeting to order at 6:00 p.m.

Invocation-Councilmember Liese

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Mayor Depreo, Seconded by Ward 2 Liese to amend the agenda to include 7.a. Motion to approve Affiliate Membership Application and Agreement with Mississippi 811, Inc.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

- a. FY21 Audit Update - Ty Necaize of Necaize & Company, PLLC

Council Comments.

1. The next Regular Meeting of the City Council will be held October 4, 2022 at 6:00 p.m. in Council Chambers located at City Hall.
2. Annual Paddle Paradise Event will be held Saturday, September 24th at the south side kayak launch. Participants may register in advance on the City's website or on-site registration beginning at 8:00 a.m. the morning of the event.
3. The 10th Annual Blessing of the Classics will be Wednesday, October 5th from 1 - 7 p.m. at City Hall. Cruisers, live music and food on the Town Green. Cruisers' parade to the blessing circle will be from 4-7 p.m.

City Manager's Report.

1. Pond Dredging – The City met with the contractor regarding this project. At this time, the bonding and insurance documents have not been signed and returned to the City.
2. Hilo Way Drainage Project – The city is waiting on the contractor to provide all required documents to issue the Notice to Proceed.
3. East Aloha Drive Project – The striping plan has been approved and the contractor is scheduling with the subcontractor to get the work scheduled.
4. Paddle Paradise – The paddle paradise event is scheduled for September 24, 2022. Everyone is encouraged to attend.
5. Blessing of the Classics – The 10th annual Blessing will be October 5th. The event will begin at 1:00 with the parade starting at 4:00.
6. CASA Red Beans and Rice Cookoff – The City will be hosting the annual fundraiser for CASA Hancock County on October 22nd at 4:00. We encourage everyone to come out and enjoy some good Red Beans and Rice and support a wonderful organization.
7. National Night Out – The event has been scheduled for October 20th. We will have two locations for residents, City Hall and East Recreation.

Public Comments on Agenda Items-None.

Policy Agenda.

Minutes:

1. Motion to approve the September 6, 2022 Regular Meeting Minutes.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to approve the September 6, 2022 Regular Meeting Minutes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Ordinances:

2. **2022-306:** Motion to adopt Resolution 2022-064 to approve a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The proposed text amendment will change Article 12.8.1 – Architectural Compatibility, to add sub-section "D. No front facades (elevations) of any developer, builder and/or person who develops and plats subdivisions, or those other individuals building homes within such subdivision, will be approved without sufficient deviation in design item(s) listed in 12.8.1 C to maintain architectural compatibility with the surrounding neighborhood. No like front facades (elevations) will be approved within two (2) platted lots adjacent to, or one (1) platted lot across from or diagonal to a like facade. Alternating like facades in a manner that is contrary to the intent of this section will be grounds for denial of such plans.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 3 Cumberland to remove Resolution 2022-064 from the table.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Motion made by Councilmember-At-Large Maher, Seconded by Ward 1 Finley to adopt Resolution 2022-064 to approve a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The proposed text amendment will change Article 12.8.1 – Architectural Compatibility, to add sub-section "D. No front facades (elevations) of any developer, builder and/or person who develops and plats subdivisions, or those other individuals building homes within such subdivision, will be approved without sufficient deviation in design item(s) listed in 12.8.1 C to maintain architectural compatibility with the surrounding neighborhood. No like front facades (elevations) will be approved within two (2) platted lots adjacent to, or one (1) platted lot across from or diagonal to a like facade. Alternating like facades in a manner that is contrary to the intent of this section will be grounds for denial of such plans.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Resolutions:

- 3. **2022-315:** Motion to adopt Resolution 2022-070 thereby approving the preparation and submission of an amended FY22 application to Mississippi Development Authority for Gulf Coast Restoration Funds for the Commercial District Transformation Project Phase 7 in the amount of \$1,200,000 (75% or \$900,000 Federal Share and 25% or \$300,000 local share), committing said local funds, compliance assurance and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to adopt Resolution 2022-070 thereby approving the preparation and submission of an amended FY22 application to Mississippi Development Authority for Gulf Coast Restoration Funds for the Commercial District Transformation Project Phase 7 in the amount of \$1,200,000 (75% or \$900,000 Federal Share and 25% or \$300,000 local share), committing said local funds, compliance assurance and for other related purposes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

- 4. **Motion 2022-318:** Motion to adopt Resolution 2022-071 thereby abandoning the 5’ drainage and utility easements on each side of the common property lines between Lot 28 and Lot 29, and Lot 29 and 30, Diamondhead Phase 1, Unit 9, Block 1. The parcel numbers are 131M-2-11-033.000 and 131M-2-11-031.000. The physical street addresses are 3516 and 3520 Luakini Place. (Orlando)

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-071 thereby abandoning the 5’ drainage and utility easements on each side of the common property lines between Lot 28 and Lot 29, and Lot 29 and 30, Diamondhead Phase 1, Unit 9, Block 1. The parcel numbers are 131M-2-11-033.000 and 131M-2-11-031.000. The physical street addresses are 3516 and 3520 Luakini Place. (Orlando)

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 2 Liese, Seconded by Ward 1 Finley to approve consent agenda items 5-7.a.

- 5. **2022-317:** Motion to approve payments to Machado Patano in the amount of \$6,000 Hilo Way to Apuna Place Project, in the amount of \$5,625 for Hilo Way to Koko St., in the amount of \$5,625 for Hilo Way West, in the amount of \$3,750 for Diamondhead Dr. East to Aukai Place and in the amount of \$1,122.50 for Prestige Fitness Plan Review.
- 6. **2022-318:** Motion to approve payments to Digital Engineering in the amount of \$5,445.00 for GIS Maintenance and \$1,275.00 for Roadway Improvements Phase 4.
- 7. **2022-320:** Motion to approve payments to Orion Planning in the amount of \$3,960 for May 2022 and \$3,240 for August consulting both related to Project Bike Lane Design and in the amount of \$247.50 for August 2022 consulting related to Aloha District Planning.

7.a. Motion to approve Affiliate Membership Application and Agreement with Mississippi 811, Inc.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Action Agenda.

- 8. **2022-316:** Motion to approve participation in the Diamondhead United Methodist Church Trunk or Treat on October 23rd by allowing use of the parking lot in front of Council Chambers for trunk or treat.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to approve participation in the Diamondhead United Methodist Church Trunk or Treat on October 23rd by allowing use of the parking lot in front of Council Chambers for trunk or treat.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

- 9. **2022-319:** Motion for discussion regarding Parking Ordinance (Derek Cusick and A. J. Gambino).

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher for discussion regarding Parking Ordinance.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Captain Gambino discussed with the Council the current parking ordinance and suggested that no changes be considered at this time.

Routine Agenda.

Claims Payable

10. Motion to approve Payroll Payable DKT159983 - DKT159995 in the amount of \$47,065.46.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve Payroll Payable DKT159983 - DKT159995 in the amount of \$47,065.46.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

11. Motion to approve the Docket of Claims DKT159997 - DKT150021 in the amount of \$129,859.39.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve the Docket of Claims DKT159997 - DKT150021 in the amount of \$129,859.39.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. Police Department
Building Department
Code Enforcement
Privilege License
Court Department

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to accept department reports.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items.

Henry Foreman addressed the Council regarding the need for lights and/or signage for golf cart safety.

Executive Session - If Necessary

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to enter closed session to determine the need for executive session.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to enter executive session for discussion of investigative proceedings regarding the FY21 Audit pursuant to §25-41-7 4(d).

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to exit executive session.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to come out of closed session.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

City Attorney Cusick stated that while in executive session no action of record was taken.

Adjourn/Recess.

At 8:21 p.m. with no further business to come before the council, motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adjourn.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk